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June 5, 2020

VIA ECF

Hon. Michael A. Shipp, U.S.D.J.
Clarkson S. Fisher Federal Building
and U.S. Courthouse, Room 5000
402 E. State Street
Trenton, New Jersey 08608

Re: *UMG Recordings, Inc. et al. v. RCN Telecom Services, LLC et al.*
Civil Action No. 19-17272 (MAS) (ZNQ)

Dear Judge Shipp:

Plaintiffs respectfully submit this notice of supplemental authority supporting their opposition to Defendants' motions to dismiss.

On June 2, 2020, in *Sony Music Entertainment v. Cox Communications, Inc.*, Case No. 1:18-cv-950-LO-JFA (E.D. Va.)—a suit brought by many of the same Plaintiffs here—the district court issued a post-trial order denying the defendant internet service provider's motion for judgment as a matter of law and affirming the jury's December 2019 verdict of contributory infringement and vicarious liability. Plaintiffs' allegations in this case regarding Defendants' contributory and vicarious liability are substantially similar to those that the *Cox* court concluded were legally sound and factually supported. In particular, the order addresses several of the legal issues raised by the briefing on the Defendants' motions to dismiss in this case, and resolves them in Plaintiffs' favor. A copy of the decision is attached as Exhibit A.

Respectfully yours,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

s/ Thomas R. Curtin

THOMAS R. CURTIN

Enclosure

cc: All Counsel (via ECF and e-mail)